

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

RON GOLAN and DORIT GOLAN, individually  
and on behalf of all others similarly situated,

Plaintiffs,

v.

VERITAS ENTERTAINMENT, LLC, *et al.*,

Defendants.

Case No. 4:14-cv-00069-ERW

**PLAINTIFFS' MOTION FOR CLASS CERTIFICATION AS TO SECOND  
AMENDED COMPLAINT AND TO STAY FURTHER CERTIFICATION  
BRIEFING**

Plaintiffs Ron Golan and Dorit Golan move under Federal Rule of Civil Procedure 23 for class certification as to their Second Amended Complaint and moved to stay certification briefing.

1. Plaintiffs, under Federal Rule of Civil Procedure 23, ask this Court certify as a class action their case brought under the Telephone Consumer Protection Act of 1991, 47 U.S.C. §§ 227, *et seq.*, and 47 C.F.R. § 64.1200(a), promulgated thereunder (hereinafter referred to collectively as "TCPA" unless otherwise indicated) (Count I), and Missouri's Do Not Call Law, Mo. Rev. Stat. §§ 407.1095-407.1110 (Count II), against Defendants (a) Veritas Entertainment, LLC, (b) Veritas Marketing Group, LLC, (c) Freeeats.com, Inc., d/b/a ccAdvertising, (d) AIC Communications, LLC, d/b/a ccAdvertising, (e) Gabriel S. Joseph, III, (f) Stephen Wayne Griffin, (g) Mission City Management, Inc., (h) Courage 2012, LLC, (i) James R. Leininger, (j) Sixdi, Inc., d/b/a Sixdi, (k) Bob Brewer, and (l) Michael Dale Huckabee a/k/a Mike Huckabee.

2. Plaintiffs seek certification for the following Class and Sub-Class of similarly situated persons:

Class (for Count I under the TCPA)

All persons within the United States to whom Defendants (or some person on Defendants' behalf), within four years of October 3, 2012, initiated one or more telephone calls to such persons' residential telephone lines using the recorded voice of Mike Huckabee to deliver a message as part of the above-mentioned campaign regarding the movie Last Ounce of Courage.

Sub-Class (for Count II under Missouri's Do Not Call Law)

All Missouri residential subscribers registered on Missouri's No Call List who received, within any twelve-month period after January 1, 2012, more than one "telephone solicitation" (as defined by Missouri Revised Statutes § 407.1095(3)) by or on behalf of Defendants, using the recorded voice of Mike Huckabee as part of a campaign promoting Last Ounce of Courage.

3. Plaintiffs are filing this motion contemporaneously with moving for leave to file the Second Amended Complaint in an abundance of caution so as to avoid any attempt by Defendants to "pick off" Plaintiffs through an offer of judgment or individual settlement offer, as suggested by some court decisions.

4. Because Plaintiffs have not been able to take discovery since this case was removed, and have taken no discovery from most of the Defendants, Plaintiffs intend to file a revised memorandum of law in support of this motion at a later date.

5. For purposes of judicial economy, and fairness to all parties, Plaintiffs request that the Court stay the briefing on their instant motion.

6. Plaintiffs file herewith and incorporate by reference their memorandum in support.

WHEREFORE, Plaintiffs Ron and Dorit Golan requests that this Court certify this case as a class action as to the Class and Sub-Class defined herein, appoint them as class representatives, appoint Ronald J. Eisenberg and Robert Schultz of Schultz & Associates LLP as class counsel, stay further class-certification briefing, and grant them any additional relief deemed proper.

SCHULTZ & ASSOCIATES LLP

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**CERTIFICATE OF SERVICE**

I certify that on April 1, 2014, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all registered counsel of record.

/s/ Ronald J. Eisenberg